

Serial No. 09/707,900

Patent
55293-00007**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:) Group Art Unit: 1633
Moon Jong NOH et al.)
Serial No.: 09/707,900) Examiner: Wilson, Michael C.
Filed: November 8, 2000)
For: **GENE THERAPY USING TGF-β**)

Reply to Office Action of October 8, 2002

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office action dated October 8, 2002 in connection with the above-identified application, please consider the following remarks:

REMARKS

Claims 1-5 and 13-15 are pending in the application. In the Office action of October 8, the Examiner stated that Applicants' previous response of July 24, 2002 (Mailing Certificate Date – or July 30, 2002, apparently PTO mail stamp date) is not fully responsive to the prior Office action with regard to the double patenting rejection of claims 1-22 over claims 1-22 in co-pending Application 09/702,718 under 35 U.S.C. 101 because applicants have not argued the double patenting rejection or indicated willingness to file a terminal disclaimer.

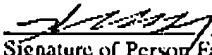
In response, Applicants will submit a terminal disclaimer.

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(37 C.F.R. § 1.8a)

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Serial No. 09/707,900

Patent
55293-00007

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1853 during the pendency of prosecution of this application. Should such additional fees be associated with an extension of time, applicant respectfully requests that this paper be considered a petition therefor. A duplicate of this paper is enclosed for the Deposit Account, should it be needed.

Respectfully submitted,

SQUIRE, SANDERS & DEMPSEY L.L.P.

Dated: November 8, 2002

By: Joseph Hyosuk Kim
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Re: 09/707,200 "GENE THERAPY USING TGF-B" - Our Ref. No. 55293-0000Z

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